

Report to New Yorkers from Congresswoman Carolyn Maloney

JUNE 2004

Dear New Yorker,

Even as we head into the last months of the legislative session, many opportunities still exist for progressive change in national policy. But I won't mislead you: those opportunities are likely to be lost.

There are far too many areas where action remains urgently needed from the President and Congress. While I'm pleased to share with you in this report some recent accomplishments, along with a comprehensive roundup of where New York stands in the recovery from the 9/11 terrorist attacks, there is far more to be done...

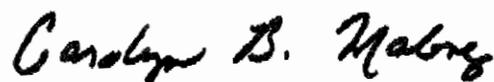
We need an effective economic and fiscal strategy to stop job loss and renew growth. More than two million private-sector jobs have been lost since 2001—many shipped overseas, but others simply vaporized by technology. Economic uncertainty is only heightened by the mounting federal deficit—wholly created in the last three years.

We must relieve the health care crisis. Spiraling costs are affecting Medicare, Medicaid, and private employers alike, and putting our economy at serious disadvantage on the global playing field. The new Medicare drug law is too little, too late in addressing the spiraling costs of prescription drugs for seniors—but it sure does help the drug companies. (The Administration even has cut the Veterans' Administration budget for health care, despite the increased need created by the wars in Iraq and Afghanistan. This disconnect is simply troubling.)

The government must stop infringing on our rights. The FDA overturns its own scientific advisory board opinion and prohibits emergency contraception to be sold 'over the counter'... the Congress prohibits doctors and nurses in U.S.-funded family planning clinics overseas from explaining all medical options... the Administration bans new stem cell research here at home, even as studies show its medical promise. These actions are examples of the Administration's need to appease conservatives.

These issues, and the needs of New Yorkers, are what I'll be working toward during the closing months of this Congress. As always, please feel free to contact me should you have any problems, concerns, or ideas you feel could put our country in the right direction. I look forward to your thoughts and participation in working for policies of positive change in the years ahead.

Sincerely,



Carolyn B. Maloney

E-mail updates

If you'd like to receive updates from me by e-mail about news and issues affecting New York and the nation, please sign up at www.house.gov/maloney or use the form on p. 7

Regular mail to my Washington office is subject to screening delays. If you would like to reach me quickly about an issue in Washington, the best methods now are via the Internet at www.house.gov/maloney or by fax at 202/225-4709.

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Fighting for sensible budget and fiscal policy

I took a stand for responsible federal budgets by opposing the Bush Administration's FY05 budget proposal. Little has been done to curb massive increases in the federal deficit and harmful cuts in essential services.

Deficit spending can sometimes be justified in times of job loss—but regrettably, that's not why the deficit is ballooning. The facts are plain: during the last year of the Clinton Administration, the nation had a projected surplus of \$5 trillion over ten years, according to the Congressional Budget Office, but now we face a \$4 trillion deficit—a swing of \$9 billion.

All this, while the country has lost more than two million jobs in private industry since 2001 and wage growth remains sluggish. Meanwhile, prices of necessities such as gasoline and milk have jumped significantly—and now the Federal Reserve suggests interest rates are poised to rise.

The President and congressional leadership are resisting the extension of unemployment benefits for the nation's jobless. 50,000 unemployed people in the New York City area lost federal unemployment benefits during the first quarter of 2004 and almost 30,000 more will exhaust their benefits by July 1, according to a recent congressional report I released with other members of the New York delegation.

I'll keep fighting for a budget that meets the real needs of our country for jobs and fiscal soundness.

Protecting Afghan women

The women of Afghanistan endured extreme hardships under the rule of the Taliban, and are still struggling to regain an influential role in Afghan society.

After helping to remove the Taliban from power, America has a responsibility to help Afghan

women achieve a better future.

Along with Reps. Tom Davis and Corrine Brown, I've introduced the "Afghan Women Security and Freedom Act of 2004," which would authorize funding for programs that benefit Afghan women and girls.

The funding would be directed toward legal assistance for women, enforcing provisions of the Afghan constitution pertaining to women's rights, encouraging the registration of women voters, and providing equipment to reduce infant and maternal mortality, among other provisions. The U.S. must maintain its commitment to ensure that the voices of Afghan women are heard as the country's reconstruction moves forward.

Gender gap in wages persists

Together with Representative John Dingell, I continue to research the very real gap between what men and women earn for similar work.

Last year, we asked the GAO to conduct the most comprehensive governmental study to date

on earnings that showed that the gap between men's and women's earnings has stubbornly persisted over the past two decades, even when controlling for employment and demographic factors.

In addition, we asked the GAO to update their data, and they reported that women are still earning only 80 cents for each dollar that men earn. What's more, men with children earn about 2% more on average than men without children, whereas women with children earn about 2.5% less than women without children—a 4.5% gap overall. You may download the GAO report at www.house.gov/maloney/issues/womenscaucus/2003EarningsReport.pdf.

2nd Avenue subway on track for 2011 opening

Commuters tired of the jam-packed Lexington Avenue subway will be glad to hear that construction is scheduled to start this year, with the first segment—three stations at 96th, 86th and 72nd streets—to begin rolling by 2011.

This year, there are four significant milestones that have driven us to this point: 1) the fourth consecutive year of federal funding for the project; 2) approval of the environmental impact report by the Federal Transit Administration (FTA), the first step on the way to final approval this summer 3) inclusion of the 2nd Avenue subway in next year's budget and 4) renewal of the "recommended" rating from the federal agency overseeing all transit projects.

The Regional Plan Association recently released the first study of the economic impact of the 2nd Avenue Subway on the city's economy, at an event I hosted. The report estimates that 70,000 jobs could be created during construction of the line, with the capacity for an additional 86,000 jobs after construction—part of an overall benefit of more than \$22 billion a year in new economic activity.

Saving mother's lives

I've introduced HR 3810, which would mandate \$34 million to the United Nations Population Fund (UNFPA) to prevent, treat, and repair a horrific, debilitating and treatable condition afflicting two million women worldwide: obstetric fistula. *continued on p 7*



THE 9/11 terrorist attacks continue to affect New York City. Long-term health problems persist for residents and workers in and around Ground Zero—just as continuing sluggishness in job creation persists in the area.

My priority since the attacks has been to **strengthen the federal response** to the disaster and to ensure that adequate federal aid is provided here and nationwide for the needs that emerged. A comprehensive review of the federal response is outlined in the pages that follow.

But as we move forward as a city and a nation, we must **do better in anticipating and preventing future attacks** and providing responders—police, fire and medical services—with the tools they need. Sadly, even after these 32 months, we have not made nearly enough progress.

That's why I'm proud to have been named **Chair of the Task Force on Homeland Security** for the House Democratic Caucus. (It's why I'm looking forward to the report of the Federal Commission on 9/11, too; I will link to the full report from my website once it is released.)

One of my first efforts as Task Force chair was to focus attention on the irrational decision by the Bush Administration to **underfund high-threat urban areas like New York City** in the allocation of federal homeland security grants. There's just no good reason why Wyoming should receive more funding per capita than New York, a much higher-risk target.

I also **spearheaded a survey of the nation's first responders** on their pre-

paredness training as provided by the Department of Homeland Security. We found that local first-responders are not getting the training, information and equipment they need. To download the complete study, please visit <http://www.house.gov/maloney/issues/Homeland/Survey.pdf>

I will continue to push for **fair security funding** for New York and other cities (and work to **fix the outdated formulas** by which that aid is allocated), fight for **better border and port inspections**, and **bring our allies back** into a partnership against terrorism.

Carolyn

9/11

Funding for Ground Zero workers' health screening

Thousands of rescue and recovery workers at Ground Zero suffered injuries or lasting illness because of their work. The federal response to these workers has been deeply disappointing. Arbitrary funding limits and delays, disorganized coordina-

tion among agencies, and an overall failure to respond to the aftermath of the attacks have been tragic.

After a long struggle with the Administration, and after working with Senator Clinton and the rest of the New York City delegation, \$90 million was finally provided in March to monitor the health of Ground Zero responders. This was a long-awaited positive step, but more needs to be done.

As of this writing, the Mount Sinai Center for Occupational and Environmental Medicine reports that half of the 9,000 screened Ground Zero responders exhibited health problems. Current funding excludes thousands of other eligible responders from receiving an initial screening, let alone actual treatment of illness or injury.

That's why I've introduced legislation with Rep. Christopher Shays to ensure that all eligible Ground Zero workers—as well as residents who became ill as a result of conditions near the site—are able to participate in the medical monitoring program.

The "Remember 9/11 Health Act" also would provide health coverage when responders do not have health insurance to cover the cost for illnesses related to 9/11. Finally, the bill would establish a federal coordinating entity for all 9/11 related health matters and support research so that we are better prepared to respond to health emergencies in future disasters.



> Maloney joins New York's firefighters to announce passage of the Remember 9/11 Heroes Act in the House, which would bestow Congress's highest honor on those who lost their lives courageously working to save others.

9/11

Funding obtained by Maloney for children's mental health

City schoolchildren were as deeply affected by the attacks on the World Trade Center as adults were, but federal recovery funds were delayed and restricted because of bureaucratic red tape.

I, along with upstate Congressman John Sweeney, spearheaded efforts to achieve full disaster recovery assistance for the school system and in October 2002 the Bush Administration announced that it would reimburse the New York Board of Education \$80.5 million to make up for lost instructional time resulting from the attacks.

In another victory, FEMA and the State of New York finally approved a long-standing request for \$33 million in federal aid in March 2003 to cover costs associated with the mental health needs of New York City students after the attacks. (Benefitting students at the college level, I also was successful in pressing FEMA for \$9 million in federal aid for New York University and approximately \$1 million for Pace University for costs related to the terrorist attacks.)

9/11

Emergency funding program for housing, job and property loss reformed

Thousands of New Yorkers were rejected for emergency housing assistance after 9/11. The Federal Emergency Management Agency (FEMA) later admitted that the reason it had rejected more than 66% of the first 10,000 applicants stemmed from a

newly implemented standard of evidence for applicants that was more rigorous than any previous standard in the agency's history. (FEMA's unprecedented limits for job loss aid eligibility led to an 85% rejection rate!)

I'm proud to have played a strong role in reforming the standard and extending aid eligibility, allowing thousands of New Yorkers who lost income or housing as a result of the disaster to receive vital assistance.

In addition, because of pressure brought by myself and other public officials, a similar program designed to help those with lost or damaged property was reformed and expanded. Prior to these reforms, FEMA's grant program provided less than half the amount of aid per applicant than it provided for other disasters—and its approval rate was less than half its average for other disasters in 2001. After I called for an investigation, the rate of approved applications jumped to 89%, with thousands of New Yorkers receiving the help they had sought and needed.

9/11

Increasing federal disaster aid for cities

Along with Senators Clinton and Schumer, Representative Rangel and I and other New York lawmakers introduced the “Community Disaster Loan Equity Act” in the aftermath of 9/11 to repeal the arbitrary \$5 million cap that was imposed on

the amount of federal aid allowed to assist localities after disasters.

A GAO report I requested estimated the loss of tax revenues to the City and State at approximately \$8.8 billion in fiscal years 2002 and 2003. Last April, I re-introduced the bill to help meet the needs presented by the 9/11 attacks and help prepare for future disasters.

9/11

Taxing of 9/11 disaster aid

The IRS inexplicably decided to tax 9/11 recovery grants for small businesses in lower-Manhattan. The Joint Committee on Taxation estimates that the IRS will collect \$268 million in taxes on \$1 billion of 9/11 aid to businesses

and individuals.

I organized congressional opposition to the IRS's plan to tax the grants, calling the decision “a body blow for New York's recovery” and “an insult to those who suffered so much from the economic impacts of the terrorist attacks.” On October 8, 2002, it was reported that the IRS had decided not to tax residents of lower-Manhattan, but had yet to make a decision on the small business grants of about \$772 million. On October 10, 2002, several other lawmakers and I introduced HR 5624, the “September 11th Assistance Tax Clarification Act,” to protect lower Manhattan businesses and residents from having to pay any taxes on recovery assistance.

9/11

Funding of new FDNY radio system proposed by Maloney bill

The radio system that failed the New York City Fire Department on 9/11 still does not work in the upper levels of high-rise buildings, the subway, automobile tunnels, or during large-scale responses with large amounts of radio traffic. That's

why I introduced HR 4386, the “9/11 Can You Hear Me Now Act.”

My proposed legislation would require the Dept. of Homeland Security to provide a fully-functional communications system to the FDNY within one year of its passage. This legislation also will require that the

FDNY's communication network is fully compatible with those used by other city agencies, such as the NYPD and the 911 Emergency Response System.

The new system would include four components—radios, dispatch system, critical-information dispatch system and a backup communication device for individual firefighters, and would be required to work on all floors in all buildings in all parts of the city—something that, incredibly, doesn't happen now.

The FDNY is rightfully referred to as New York's Bravest. They're consistently willing to place their lives on the line to protect us; we owe it to them to provide them with a radio system that works.

9/11

Safety-enhancement funding cut by Administration

Along with other members of New York's congressional delegation, I'm urging President Bush to fund safety enhancement efforts in New York at the levels typically provided to other regions after national disasters.

The fact is that the percentage of “hazard mitigation” funding for New York was set by the President at 5% of overall FEMA disaster-related costs—rather than the traditional 15% that has typically been provided in all prior disasters. These funds are meant to help localities prevent and limit destruction in the event of future disasters—and mean a loss of over \$800 million to our city.

Without these funds, the city will not be able to complete a number of projects that Mayor Bloomberg has identified as priorities following the attacks of 9/11.



> I helped coordinate the first hearing ever held in Washington on 9/11's impact on New York City. A delegation of several dozen members from the City Council, led by Council Speaker Gifford Miller (shown at LEFT) travelled to Washington DC on May 21, 2003 to describe the events of that day and their aftermath to members of the House Democratic Caucus.

9/11

Still accounting for 9/11 recovery aid to New York

WHEN President Bush promised on September 13, 2001, that he'd provide \$20 billion in recovery aid to New York, there was no reason to doubt him. Now, almost three years later, there are questions on whether the federal government has done enough to help the people directly affected by 9/11.

Since the attacks, along with other members of the New York delegation I have been seeking an accounting of all federal government aid to New York City in the wake of 9/11—as required by law.

Unfortunately, the Administration has refused to supply this vital information.

Below is a list of my attempts to obtain an accounting from the Administration, all of which are viewable on my website as noted.

April 23, 2004: Letter asking for an accounting of 9/11 aid after it was reported by Bob Woodward's book "Plan of Attack" that \$700 million was secretly used in Iraq for war preparations. www.house.gov/maloney/issues/Sept11/04232004_Accounting_911_Aid_Ltr_to_POTUS.pdf

March 5, 2004: Letter to OMB Director Joshua Bolton regarding the lack of any reporting over the last year. <http://www.house.gov/maloney/issues/Sept11/TheChart/030504Bolten.pdf>

September 11, 2003: An accounting of assistance to New York on the 2nd anniversary of the attacks. <http://www.house.gov/maloney/issues/Sept11/TheChart/ChartUpdate.pdf>

September 11, 2003: Letter to the President on the 2nd Anniversary of the attacks asking for a complete accounting. <http://www.house.gov/maloney/issues/Sept11/2yearslater/MaloneyMillerLettertoPOTUS.pdf>

December 17, 2002: A chart prepared in December 2002 seeking an accounting of assistance to New York. <http://www.house.gov/maloney/issues/Sept11/TheChart/TheChart.pdf>

December 17, 2002: A letter to OMB Director Mitch Daniels asking for an accounting of assistance to New York. <http://www.house.gov/maloney/issues/Sept11/TheChart/LettertoOMB.pdf>

■ AID TOTALS TO DATE:
For which Congresswoman Maloney has been instrumental in advancing

\$90,000,000
Health screening for Ground Zero responders

\$80,500,000
Payment for lost time to NYC public schools

\$33,000,000
Mental health assistance for NYC students

\$9,000,000
NYU structural damage repair

\$1,000,000
Pace University attack-related costs



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Predominant in Africa, the condition is brought on during childbirth which, without medical attention, leads to the death of the newborn and serious urinary and bowel problems for the mother—yet it is easily prevented with proper obstetric care during pregnancy. It has long been eradicated from the United States, but women in the poorest of nations still suffer its effects. In 2002, the U.S. ended its share of funding for the UNFPA, an organization that works in 140 countries around the world, and that has made ending fistula a priority.

This new bill aims to strike a compromise with the Administration by funding the work of UNFPA in fighting fistula and improving maternal health only, but so far the Administration has rejected even this. For more information on this legislation go to www.house.gov/maloney/issues/UNFPA/index.html.

Sexual assault in the military

Since 1988 there have been 18 government studies about sexual assault in the military (including one I managed to get authorized in 1999, “Adapting Military Sex Crime Investigations to Changing Times”). Sadly, this serious problem persists.

Back in 1988, 90% of sexual harassment victims in the military didn’t report their incidents. Fifteen years later, statistics show the situation isn’t much different: 80.8% of women who claimed they were assaulted at the Air Force Academy did not report the incident.

In March 2004, in response to the ongoing problem, I led 84 of my colleagues in writing to Secretary of Defense Rumsfeld requesting a meeting to discuss what he is doing to address this serious problem. We expect to meet with Pentagon officials in June.

On May 20, 2004, I successfully passed an amendment to H.R. 4200, the “National Defense Authorization Act for Fiscal Year 2005,” which would direct the Secretary of Defense to eliminate the backlog in processing military rape and sexual assault kits, reduce the processing time of those kits, and ensure that an adequate supply of kits exists at domestic and overseas bases, military academies, and theaters of operation.

Funding cut for first responders

In the context of the heightened threats our country faces since 9/11, the President’s proposed budget was dismaying. Overall funding for first responders—the police, fire and medical staff that serves on the front lines of potential attack—was reduced

by \$2.3 billion, according to an independent report I requested from the GAO (available for download at

www.house.gov/maloney/press/108th/20040212FirstRespondersCut.html).

But, incredibly, the Majority on the Budget Committee cut another \$155 million! “Dismayed” doesn’t begin to describe my reaction. In a world constantly reminded of serious threats, it is utterly illogical to cut funding as if the threats have diminished. These cuts will hurt not only New York City’s security, but the country’s, too.

In February, my office prepared a report on the one homeland security program specifically targeted for fire departments—the FIRE Act. A well-intentioned effort to help rural firefighters initiated before 9/11, it has since become a huge homeland security program that favors rural departments over big cities—where higher threats exist. For example, New York’s Fire Department receives 9 cents per New York resident in FIRE Grants, while Montana receives more than 9 dollars per resident.

As the Chair of the House Democratic Task Force on Homeland Security, I’m constantly examining our federal government’s handling of homeland security. At this point, it is unfortunate that every positive homeland security development—such as an increase in high-threat funds—seems to be paired with multiple stories of shortcomings, such as the overall cut to first responders, the inequity in FIRE Grants, or the recent revelation that budget problems have forced the government to freeze hiring for key border agencies. I’m working to reverse this trend.

Environmental funding cut by Congress

The Administration and the Majority in Congress continue to reduce environmental protection standards and funding for clean air, clean water, and conservation—all efforts I oppose.

In his budget for FY05, the president cut environmental protection funding by \$1.5 billion, a 5.1% reduction from last year’s level. This will result in cuts to programs that protect water quality, including the prevention of leaking petroleum and MTBE from contaminating water supplies. Additionally, corporate polluters will not be forced to pay for the cleanup of their own hazardous waste.

I strongly oppose these cuts, and will vote against them—as I did against H.R. 1904 last year, which reduces public participation in forest management policies, increases commercial logging, and does little to protect communities from forest fires.

Carolyn B. Maloney

Congresswoman Carolyn Maloney
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Increasing emergency contraception access

Last month, the Food and Drug Administration (FDA) denied over-the-counter status to the Plan B® brand of emergency contraception. This decision was made after the joint panel of the FDA's Reproductive Health

Drugs Advisory Committees voted 27-0 that Plan B® could be safely sold as an over-the-counter medication.

Due to concerns that this decision was influenced by other than scientific or medical concerns, I've introduced HR 4377, the "Science Over Politics Act." This bill requires the FDA Commissioner to review his prior decision on Plan B® and affirm 1) that his decision was not politically influenced, 2) that it was based on sound science, and 3) that it conformed to FDA precedent and procedures. To learn more, please visit my website at www.house.gov/maloney/press/108th/20040517FDABill.htm.

Maloney bill extends Nazi war crimes commission

Senators Mike DeWine, Dianne Feinstein, and I succeeded in attaching language to extend the lifespan of the Interagency Working Group (IWG), which is compiling a report on classified CIA data that will disclose known Nazi conspirators and war

crimes. I began to publicize the CIA's information on Nazis when it was first reported in 1994 that the U.S. government had refused to disclose 40-year old records that showed U.N. Secretary General Kurt Waldheim was a member of the Nazi Party. The one-year extension enables the IWG to fulfill its charter and finish its work.



> Rep. Carolyn Maloney announces her new legislation that would direct the FDA to revisit its decision on the morning-after pill at a news conference on Capitol Hill. Among those joining Maloney at the event were (from left to right), Kim Gandy, President of the National Organization for Women; Reps. Lynn Woolsey, Joseph Crowley, Louise Slaughter, and Lois Capps.

Fighting Queens power plant financing scheme

A coalition of NYC elected officials (including Assemblyman Mike Gianaris and Councilman Peter Vallone, Jr.) and I are working to stop Gov. Pataki's ill-conceived plan to use 9/11 Liberty Bonds to finance a power plant in Western Queens.

Use of Liberty Bonds to finance the plant would be against federal law and against the interests of Western Queens residents who have fought for years against the saturation of power plants in their neighborhoods.

Diverting 9/11 aid from the downtown areas most hurt by the disaster to a project across town, let alone one that is widely opposed by the Queens community, is wrong and should be stopped.